

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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GEORGE S. HOFMEISTER FAMILY TRUST, et  
al,

Plaintiffs,

Case No. 06-CV-13984-DT

v.

TRANS INDUSTRIES, et al,

Defendants.

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**ORDER SETTING SCHEDULE FOR ADDITIONAL PRELIMINARY PROCEEDINGS**

The court conducted a status conference with counsel on May 1, 2007. The parties discussed Plaintiffs' pending motions and steps that they might take in the near future to resolve some of the underlying issues. The parties discussed and agreed about several matters, some of which are summarized below. Accordingly,

Plaintiffs noted that the "Motion for Summary Judgment Regarding Count VIII" [Dkt # 72] should be interpreted as applying only to the individual Defendants Fuhrman and Gruits and not to Trans Industries ("Trans"). The individual Defendants are therefore DIRECTED to file a response to the motion by **May 10, 2007**.

Also, the court will suspend, until further notice, its consideration of Plaintiffs' "Motion to Hold Defendants Daniel D. Fuhrman and William Gruits in Civil Contempt of Court Order" [Dkt #60], "Motion to Take Discovery Related to Motion for Contempt" [Dkt

# 74] and “Motion for Order Terminating Defendants’ Counsel’s Representation of Trans Industries of Indiana, Inc.” [71].<sup>1</sup>

IT IS ORDERED that the parties shall discuss and agree upon a proposed schedule for discovery that they will jointly propose to the court for review and approval.

IT IS FURTHER ORDERED that counsel appear by telephone for a status conference on **May 22 at 3:00 p.m.** The court will initiate the call.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 2, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 2, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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<sup>1</sup>This delay is ordered specifically to allow the parties to seek to resolve by agreement at least some of the issues implicated by the motions, along perhaps with some collateral issues not formally before the court. The court encourages the parties to attempt to jointly ascertain from Old National Bank its understanding of the status of the line of credit extended to Trans and personally guaranteed in whole or in part by defendants Fuhrman and Gruits. The court was informed of potential action within FGH Industries, not a party herein, that could affect the management of defendant Trans. In that regard, the court encourages FGH Industries to continually provide meaningful and relevant information to Plaintiffs and to proceed on a path that is agreeable (or at least not disagreeable) to the Plaintiffs’ interest in the suitable management of Trans. It is the court’s view that information yet to be gathered and events yet to take place may render moot some or all of the objects of the pending motions.